

1 THE HONORABLE JOHN C. COUGHENOUR

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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT SEATTLE

9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 v.

12 RICCO ANTHONY GRAVES, JR.,

13 Defendant.  
14

CASE NO. CR16-119-JCC

MINUTE ORDER

15 The following Minute Order is made by direction of the Court, the Honorable John C.  
16 Coughenour, United States District Judge:

17 This matter comes before the Court on the Government's unopposed motion to continue  
18 the trial date (Dkt. No. 57). The Court, having considered the Government's motion and the  
19 records and files herein, including Defendant's waiver of speedy trial rights, hereby makes the  
20 following findings:

21 1. Defendant, Ricco Anthony Graves, Jr., is charged by indictment in this matter  
22 with Possession of Ammunition by a Felon, in violation of Title 18, United States Code, Section  
23 922(g)(1). Pretrial motions were due April 24, 2017, and a jury trial set to commence May 22,  
24 2017.

25 2. The Government and Mr. Graves have entered into a plea agreement to resolve a  
26 separate criminal matter now pending under Case No. CR16-184-TSZ, in which Mr. Graves is

1 charged with Possession of 28 Grams or More of Cocaine Base with Intent to Distribute, in  
2 violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B), and Possession  
3 with Intent to Distribute Heroin, in violation of Title 21, United States Code, Sections 841(a)(1)  
4 and 841(b)(1)(C). Pursuant to that plea agreement, Mr. Graves has tendered pleas of guilty to  
5 both counts against him in Case No. CR16-184-TSZ, and his sentencing is scheduled to occur on  
6 July 13, 2017. The plea agreement provides, among other things, that the Government will move  
7 to dismiss the indictment in this matter when Mr. Graves is sentenced for the drug charges.

8 3. With the consent of the defense, the Government now requests a continuance of  
9 the May 22, 2017, trial on the sole count in this case. Counsel for the Defendant has informed  
10 the government that the Defendant will execute a Waiver of Speedy Trial effective through  
11 November 1, 2017.

12 4. The Court finds that the ends of justice will be served by ordering the requested  
13 continuance in this case, both to allow the parties to receive the benefit of their plea bargain, and  
14 to permit the parties avoid the time and expense of preparing for and conducting a jury trial that  
15 both parties agree need not occur. The Court further finds that these factors outweigh the best  
16 interests of the public in a speedy trial, within the meaning of 18 U.S.C. § 3161(h)(7)(A).

17 5. It is therefore ORDERED that the time within which pretrial motions must be  
18 filed in this case is extended from April 24, 2017, to July 21, 2017, and the trial date is extended  
19 from May 22, 2017, to August 7, 2017.

20 6. It is further ORDERED that the time period between May 22, 2017, and August  
21 7, 2017, is excludable time, pursuant to 18 U.S.C. § 3161(h)(7)(A), for the purposes of  
22 computing the time limitations imposed by the Speedy Trial Act, 18 U.S.C. §§ 3161-3174.

23 DATED this 17th day of May 2017.

24 William M. McCool  
25 Clerk of Court

26 s/Paula McNabb  
Deputy Clerk